



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bance Ye

Serial No.: 09/912,673

Group Art Unit: Not yet assigned

Filed: July 23, 2001

Examiner: Not yet assigned

For: MEDIUM AND LOW DENSITY GENE CHIPS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RECEIVED
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OFFICE OF PETITIONS
DISPUTES AND PATENTS

**RESPONSE TO NOTICE OF
INCOMPLETE NONPROVISIONAL APPLICATION**

Sir:

Responsive to the Notice of Incomplete Nonprovisional Application, mailed September 13, 2001, applicant encloses the following for filing in the above-identified application:

1. English translation of Chinese application No. 001044958 filed in the U.S. Patent and Trademark Office on July 23, 2001;
2. Two Statements of Accuracy of Translation of Application;
3. Copy of English translation of Chinese application No. 001044958 filed in the U.S. Patent and Trademark Office on July 23, 2001, formatted to meet application requirements of U.S. Patent and Trademark Office, with Sequence IDs included pursuant to the enclosed sequence listing diskette and paper copy of sequence listing;
4. Amendment and Transmittal of Sequence Listing;

5. 3-1/2" sequence listing diskette;
6. Paper copy (20 pages) of sequence listing;
7. Declaration for Patent Application executed by Bangee Ye;
8. Power of Attorney or Authorization of Agent executed by Jiangnan Biotech Ltd.;
9. Statement Under 37 C.F.R. § 3.73(b) executed by Jiangnan Biotech Ltd., with attached copy of the executed Assignment from Bangee Ye to Jiangnan Biotech Ltd.;
10. Fee Transmittal (in duplicate); and
11. Check in the amount of \$130.00 for the large entity surcharge for late filing the Declaration for Patent Application.

This application is not entitled to claim small entity status pursuant to 37 C.F.R. § 1.27.

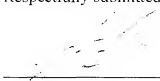
Applicant also encloses a copy of the Notice of Incomplete Nonprovisional Application, mailed September 13, 2001.

Applicant filed on October 19, 2001, a (a) Petition to Grant Filing Date for Nonprovisional Application; (b) copies of the application documents filed on July 23, 2001; (c) copy of the check submitted for the filing fee, including the fee for filing the English translation; (d) returned postcard indicating receipt by the Patent Office of the application papers and check on July 23, 2001; and (e) copy of the Notice of Incomplete Nonprovisional Application. Applicant has not yet received a decision on the Petition.

U.S.S.N.: 09/912,673
Filed: July 23, 2001
**Response to Notice of Incomplete
Nonprovisional Application**

No additional fees are due at this time. However, should any fee be due, please charge such additional fee, or credit any overpayment in connection with this matter, to Deposit Account No. 50-1868. A duplicate of this transmittal is enclosed to facilitate this process.

Respectfully submitted,



Zhaoyang Li
Reg. No. 46,872

Date: November 13, 2001

HOLLAND & KNIGHT LLP
Suite 2000, One Atlantic Center
1201 West Peachtree Street, N.E.
Atlanta, Georgia 30309-3400
(404) 817-8531 (Telephone)
(404) 817-8588 (Fax)

09/12673, 07/23/01

U.S.S.N.: 09/912,673

Filed: July 23, 2001

Response to Notice of Incomplete
Nonprovisional Application



CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this RESPONSE TO NOTICE OF INCOMPLETE
NONPROVISIONAL APPLICATION, and any paper referred to as being attached or
enclosed, are being deposited with the United States Postal Service on the date shown below
with sufficient postage as first-class mail in an envelope addressed to Commissioner of Patents
and Trademarks, Washington, D.C. 20231.

A handwritten signature in cursive script, reading "Pamela Turnbough".

Pamela Turnbough

Date: November 13, 2001

ATL11 #493478 v1

09/12,673-07/24/01



UNITED STATES PATENT AND TRADEMARK OFFICE

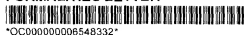
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 WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY/DOCKET NUMBER
09/912,673	07/23/2001	Ye Bangee	JNB 100

CONFIRMATION NO. 6398

23579
 PATREA L. PABST
 HOLLAND & KNIGHT LLP
 SUITE 2000, ONE ATLANTIC CENTER
 1201 WEST PEACHTREE STREET, N.E.
 ATLANTA, GA 30309-3400

FORMALITIES LETTER



OC000000006548332

Date Mailed: 09/13/2001

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is \$ 840.
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be


determined.

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

A copy of this notice MUST be returned with the reply.


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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Under the Patent and Trademark Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$130.00)

Complete if Known

Application Number	09/12,673
Filing Date	July 23, 2001
First Named Inventor	Bangce Ye
Examiner Name	
Group Art Unit	
Attorney Docket No.	JNB 100

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																															
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 50-1868 Deposit Account Name: Holland & Knight LLP <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES																																																																																																																																																																																															
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unavoidable</td><td></td></tr><tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179</td><td>279</td><td>355</td><td></td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="4">Other fee (specify) _____</td><td></td><td></td></tr><tr><td colspan="2">SUBTOTAL (1) (\$)</td><td colspan="2">SUBTOTAL (3) (\$130.00)</td></tr></tbody></table>		Large Entity/Small Entity				Fee Description	Fee Paid	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)			105	130	205	65	Surcharge - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Zhaoyang Li	Registration No. (Attorney/Agent)	46,872
Signature		Telephone	404-817-8531
		Date	11/15/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bangce Ye
Serial No.: 09/912,673 Group Art Unit: Not yet assigned
Filed: July 23, 2001 Examiner: Not yet assigned
For: MEDIUM AND LOW DENSITY GENE CHIPS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

STATEMENT OF ACCURACY OF TRANSLATION OF APPLICATION

Sir:

The undersigned does hereby certify that the English translation of Chinese application No. 001044958, filed in the U.S. Patent and Trademark Office on July 23, 2001, is an accurate, true, and correct translation of that application.

Signature: Ye Bangce
Printed Name: Ye Bangce
Company: Jiangnan Biotech Ltd
Date: Nov 12, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bangee Ye

Serial No.: 09/912,673

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For: MEDIUM AND LOW DENSITY GENE CHIPS



Group Art Unit: Not yet assigned

Examiner: Not yet assigned

Commissioner of Patents and Trademarks
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STATEMENT OF ACCURACY OF TRANSLATION OF APPLICATION

Sir:

The undersigned does hereby certify that the English translation of Chinese application No. 001044958, filed in the U.S. Patent and Trademark Office on July 23, 2001, is an accurate, true, and correct translation of that application.

Signature: _____

Printed Name: Zhaoyang Li

Company: Holland & Knight LLP

Date: November 13, 2001